

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:10-CV-00076-FL

DONNIE PATE,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of
Social Security

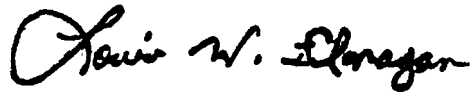
Defendant.

REMAND ORDER

This matter is before the Court on plaintiff's complaint. The Commissioner has not yet filed an answer in this case. The Commissioner filed a Motion to Remand this case for further consideration of evidence by a new Administrative Law Judge.

Accordingly, for good cause shown, the Court hereby remands this case to the Commissioner under sentence six of 42 U.S.C. § 405(g) for further proceedings. This case will be assigned to a new Administrative Law Judge to be consolidated with any relevant subsequent applications pending before the Commissioner. As the Commissioner has not filed an answer in this case, this Court shall retain jurisdiction of this case while it is pending before the Commissioner as required by sentence six of 42 U.S.C. § 405(g).

SO ORDERED this 13th day of October, 2010.



JUDGE LOUISE W. FLANAGAN
CHIEF UNITED STATES DISTRICT JUDGE